

REMARKS

The following remarks are responsive to all matters raised in the Office action mailed on January 13, 2005 that is reported as being made "Final."

The status of claims for this application is that: claims 1-8 previously were canceled without prejudice; claim 9 now is submitted for entry as amended herein; claims 10-19 previously were presented and are pending without any requested amendments; and new claims 20-23 are submitted for introduction. Reconsideration of all now outstanding reported objections and rejections of claims 1-19 in light of the following remarks is requested, and also allowance of new claims 20-23 upon consideration of the following remarks is requested.

Claim Objection

Claim 9 is reported objected to because the limitation recited in the previously pending claim at lines 16-17 for "...said at least one electrical lead [having] a longitudinal axis that is parallel to the longitudinal axis of said at least one positioning pin" is reported as being considered redundant in context with the limitation recited at line 5. This submission requests deletion of the subject limitation from lines 16-17 of claim 9, and, therefore, the reported objection should be overcome upon entry of the submitted amendment as is explicitly stated in the Office action. No other amendments are submitted with this filing and entry of an amended claim 9 accordingly is requested.

Claim Rejections — 35 U.S.C. §102

Claims 9, 11-12 and 19 are reported rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,795,885 (Desso et al.) These rejections are traversed and believed overcome in view of the following discussion.

Of the reported anticipation rejected claims, only claim 9 is independent and all other reported rejected claims are dependent from that claim. Attention here, accordingly, is exclusively directed to independent claim 9 because if this claim recites subject matter overcoming the rejections, then all of its dependent claims also overcome their reported anticipation rejections. The conclusion as to anticipation rejected dependent claims reciting

allowable subject matter is premised, at least in part, from 35 U.S.C. §112, paragraph 4, where it is directed that a “claim in dependent form shall be construed to incorporate by reference all the limitations of the base claim to which it refers.” Thus, rejected dependent claims include every limitation recited in their base independent claim, and if such independent claim recitations include subject matter not disclosed or inherent in a relied on reference, then both independent and dependent claims recite non-anticipated subject matter.

[F]or [thereto be] anticipation under 35 US 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. (Emphasis added, MPEP §706.02)

Turning to the Office action, it is stated with respect to the asserted Desso et al. anticipation reference that:

Desso et al. discloses an electrical connection cable strain relief device comprising: a strain-relieving element (the combination of 16 and 38) disposed about a portion of at least one cable (10) having at least one electrical lead (14) extending out (Fig. 4) from the strain-relieving element (the combination of 16 and 38); at least one positioning pin (46, 48) disposed to extend from the strain-relieving element (the combination of 16 and 38), the at least one positioning pin (46, 48) having a longitudinal axis parallel to a longitudinal axis for the electrical lead (14) extending out (Fig. 4) from the strain-relieving element (the combination of 16 and 38), and the at least one positioning pin (46, 48) having a non-circular cross section, and a contact partner (52) including at least one hole (54) disposed through a portion of the contact partner (52), the at least one hole (54) having an inside wall (inner surface of holes 54) sized so that the at least one positioning pin (46, 48) is compression fitted in the at least one hole (54) by the non-circular cross section of the at least one positioning pin (46, 48) having at least one outside dimension (outer surface of pins (46, 48)) along the longitudinal axis of the positioning pin (46, 48) that is larger than a corresponding inside dimension wall (inner surface of holes 54) of the at least one hole (54), wherein at least one electrical conductor (Column 5, Lines 15-18) disposed on the contact partner (52) can be attached for electrical connection to a portion of at least one electrical lead (14) extending out of the strain-relieving element (the combination of 16 and 38). See Figs. 1-4. (Office action pages 2-3)

Thus the Office action asserts a reading of Desso et al. to the effect that the claim 9 recited “strain-relieving element” reads on a “combination” of Desso et al. adaptor 16 and

dual-in-line package (DIP) header 38. Further asserted in the Office action and now traversed is a reading of Desso et al. that the claim 9 recited “electrical lead extending out from said strain-relieving element” reads on Desso et al. “male contact pins 14.”

It is to be understood, in the contexts of what is being traversed, that not now being traversed is the assertion that Desso et al. in some general way discloses a combination of adaptor 16 with DIP header 38. On this matter Desso et al. explicitly discloses:

Referring now particularly to FIG. 3, there is disclosed a dual-in-line package (DIP) header being generally designated by the reference numeral 38 having parallel rows of holes or female contacts 40 located in its upper surface 42 adjacent and parallel to the edges 43 and 44 thereof. Projecting from the lower surface of the DIP header 38 are a corresponding pair of rows of contact pins 46 and 48, one pin corresponding to each of the holes 40. (Emphasis added; col. 4, lines 36-44)

* * *

Thus, as shown, the adaptor 16 facilitates the connection of a flat multi-conductor cable 10 to a PC board 52 through a DIP header 38, with the downwardly bent male contact pins 14 being received in the holes 40 of the DIP header 38 and the upper surface 42 and edge 44 of the header 38 being abutted against the lower surface of the thickest side of the horizontal portion of the adaptor 16 and the depending leg 20, respectively, in such a manner that the connection is firmly made to prevent dislodging and undesired removal of the pins 14 from their sockets and to relieve strain upon the individual conductors 12 of the cable 10. (Emphasis added; col. 4, lines 56-68)

The Office action asserted reading of Desso et al. on this point of combination is supported by the Desso et al. disclosure that adaptor 16 can be connected to DIP header 38 to “facilitate[] the connection of a flat multi-conductor cable 10 to a PC board 52,” e.g., see col. 4, lines 56-68. Then following this disclosure is a consequent disclosure that also must be acknowledged and not ignored; this subject disclosure is that “male contact pins 14 being received in the holes 40 of the DIP header 38... in such a manner that the connection is firmly made to prevent dislodging and undesired removal of the pins 14 from their sockets.” Most to the point here, if Desso et al. disclose that male contact pins 14 are received in DIP header 38 holes 40 “to prevent dislodging and undesired removal of the pins 14 from their sockets,” and that there “are a corresponding pair of rows of contact pins 46 and 48, one pin

corresponding to each of the holes 40" then contact pins 14 do not "extend[] out from said strain-relieving element" as specifically is recited in independent claim 9. What Desso et al. disclose as extending out from a combination of adaptor 16 and DIP header 38 are contact pins 46 and 48 not male contact pins 14 that explicitly are disclosed as being retained in sockets, i.e., holes 40. According to the Office action, these contact pins 46 and 48 are read on by the "at least one positioning pin disposed to extend from said strain-relieving element" also specifically recited in claim 9. The recited "cable having at least one electrical lead extending out from said strain – relieving element" and the also recited "positioning pin disposed to extend from said strain – relieving element" are different structures. These different recited structures do not read on the Desso et al. disclosed contact pins 46 and 48.

In the contexts of these matters it further is asserted in the Office action with respect to claim 9 recitations that: "wherein at least one electrical conductor (column 5, lines 15-18) disposed on the contact partner (52) can be attached for electrical lead (14) extending out of the strain-relieving element (the combination of 16 and 38)." Any reliance on Desso et al. disclosures at col. 5, lines 15-18 for so holding claim 9 recitations anticipated is traversed.

Such traversal explicitly arises from the facts that claim 9 recites a strain-relieving element asserted in the Office action as being a combination of Desso et al. adaptor 16 and DIP header 38, whereas, when Desso et al. col. 5, lines 15-18 disclosures are given their proper context no DIP header combination is disclosed or suggested. Instead, Desso et al. disclose:

On the other hand, if desired, the adaptor 16 may just as easily connect the flat multi-conductor cable 10 directly to the PC board 52 if a row of holes 54 are provided in the printed circuit board for receiving the male contact pins 14 and connecting the same with printed lines on the lower side of the board which terminate in holes 54. In this case as in the previous illustration, the edge of the PC board adjacent the row of holes 54 abuts against the depending leg 20 of the adaptor 16 while the upper surface of the PC board abuts against the lower surface of the thicker side of the horizontal portion of the adaptor 16, to provide a firm engagement for securing the adaptor in place and preventing undesirable removal or dislodgement of the pins 14 from the holes 54. The pins 14 may be soldered in the holes 54 to the holes 54 may be provided with miniature resilient spring receptacles into which

the pins 14 can be resiliently plugged. (Emphasis added, col. 5, lines 1-18)

So here Desso et al. disclose that adaptor 16 is connected directly to the PC board 52 without a DIP header 38, and, therefore, the male contact pins 14 extending from adaptor 16 can be received in “a row of holes 54...provided in the circuit board.” (col. 5, lines 3-4) However, if a DIP header 38 is combined with adaptor 16, as explicitly is asserted in the Office action for Desso et al. anticipating claim 9, then male contact pins 14 are “received in the holes 40 of the DIP header 38.” (col. 4, lines 57-59) The Desso et al. contact pins 14 in this circumstance are not received in “a row of holes 54...provided in the circuit board.” (col. 5, lines 3-4)

The bottom line here is that Desso et al. disclose an adaptor 16 and DIP header 38 combination that is asserted in the Office action as being read on by the claim 9 recited “strain-relieving element,” but then neither disclosed nor anywhere suggested by Desso et al. are the combination of claim 9 recitation of “at least one electrical lead extending out from said strain-relieving element” and claim 9 recitation of a disposal for electrical connection of an electrical lead extending out from the strain-relieving element with an electrical conductor disposed on a contact partner. Instead, Desso et al. discloses teachings away from such claim 9 recited structures by either having an adaptor 16 and DIP header 38 combination with asserted extending positioning pins 46 and 48 but not a “cable having at least one electrical lead extending out from said strain-relieving element, or an adaptor 16 without a combined DIP header 38, that lacks an extending positioning pin. Claim 9 recites each of an electrical lead and a positioning pin that both extend from a strain-relieving element and Desso et al. fail to disclose or suggest such combined structures.

In light of these discussions it is submitted that all anticipation reported rejections under 35 USC §102 are overcome.

Claim Rejections — 35 U.S.C. §103

Claims 10 and 13 are reported rejected under 35 U.S.C. §103(a) as being unpatentable over Desso et al. These rejections also are traversed.

Both claims 10 and 13 are dependent from base independent claim 9. As such, if independent claim 9 recites allowable subject matter, then dependent claims 10 and 13 recite allowable subject matter.¹ Claim 9 is reported as having been found anticipated as is discussed above, but claim 9 is not reported as being found obvious in view of any cited reference or combination of references. Most relevant here, though, is the conclusion, as discussed in detail above, that Desso et al. fail to disclose or suggest structures recited in claim 9. Accordingly, in light of those above set out discussions, it is submitted that all obviousness reported rejections under 35 USC §103 are overcome.

Allowable Subject Matter

Claims 14-15 and 17-18 are reported “allowable if rewritten or amended to overcome the objection set forth in [the] Office action.” The referenced “objection” is understood to be that directed to claim 9 and discussed above as now being believed to be overcome. Further, by this submission, and in line with the reported requirements for allowance, new claims 20-23 are submitted for introduction. Their introduction is believed to be appropriate in view of the statements concerning allowance set out in the Office action. Claims 20 and 22 incorporate the recitations of claims 14 and 17 respectively with those of claim 9 amended to delete the reported objected to recitation. Claims 21 and 23 recite the subject matters of claims 15 and 18 respectively, and depend respectively from independent claims 20 and 22.

It is believed that with respect to allowance of claims 14-15 and 17-18 as reported in the Office action that new claims 20-23 comply in all respects and as such should be entered and allowed.

¹ “Dependent claims are nonobvious under 103 if the independent claims from which they depend are nonobvious.” (Citations omitted, *In re Fine*, SUSPQ2d 1596, 1600 (Fed. Cir., 1988)).

CONCLUSION

In light of the above discussions, it is believed that all claims, including amended claim 9 and new claims 20-23, are in condition for allowance and a notice of the same is requested. Should the Examiner have any question, request or suggestion, he is invited to contact the undersigned attorney at the telephone number indicated below.

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Respectfully submitted,

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